

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

No. 2:12-md-02323-AB

MDL No. 2323

Kevin Turner and Shawn Wooden,  
*on behalf of themselves and  
others similarly situated,*  
Plaintiffs,

v.

Civ. Action No.: 14-cv-00029-AB

National Football League and  
NFL Properties, LLC,  
successor-in-interest to  
NFL Properties, Inc.,  
Defendants.

THIS DOCUMENT RELATES TO:  
ALL ACTIONS

**STIPULATION AND ~~PROPOSED~~ ORDER<sup>1</sup>**

This Stipulation and Agreement, dated January [17], 2017, is made and entered into by and among the National Football League and NFL Properties LLC (the "NFL Parties"), and Class Counsel (collectively, the "Parties").

WHEREAS, on April 22, 2015, this Court issued a Memorandum (ECF No. 6509) and Final Order and Judgment (ECF No. 6510), and on May 8, 2015, an amended Final Order and Judgment (ECF No. 6534), approving the Settlement Agreement in its entirety;

---

<sup>1</sup> Unless otherwise noted, the terms used in this Order that are defined in the Settlement Agreement have the same meanings in this Order as in the Settlement Agreement.

WHEREAS, on May 4, 2015, Claims Administrator BrownGreer PLC, in accordance with the Final Order and Judgment and the Settlement Agreement, filed the list of Opt Outs who timely submitted proper requests to opt out in compliance with Section 14.2(a) of the Settlement Agreement, including Retired NFL Football Players Ralph Williams, Lex Hilliard and Brian Schaefering (ECF No. 6533);

WHEREAS, Ralph Williams, Lex Hilliard and Brian Schaefering have since submitted a written request seeking to revoke their Opt Out requests (*see* Exhibit 1 (Declaration of Orran L. Brown, Sr.));

WHEREAS, the Parties have agreed to accept the revocation requests submitted by Ralph Williams, Lex Hilliard and Brian Schaefering, subject to Court approval, because they submitted the requests before Opt Out litigation has commenced in this Court;

AND NOW, this [17] day of January, 2017, it is hereby stipulated and agreed by the Parties that the revocation requests submitted by Ralph Williams, Lex Hilliard and Brian Schaefering are accepted, subject to Court approval, because they submitted the requests before Opt Out litigation has commenced in this Court.



**It is so STIPULATED AND AGREED,**

By: 

Date: 1/17/17

Christopher Seeger  
**SEGER WEISS LLP**  
77 Water Street  
New York, NY 10005  
Phone: (212) 584-0700  
cseeger@seegerweiss.com

*Class Counsel*

By:  

Date: 1/17/17

Brad S. Karp  
**PAUL, WEISS, RIFKIND, WHARTON  
& GARRISON LLP**  
1285 Avenue of the Americas  
New York, NY 10019-6064  
Phone: (212) 373-3000  
bkarp@paulweiss.com

*Counsel for the NFL Parties*

It is so **ORDERED**, based on the above Stipulation and the accompanying Declaration of Orran L. Brown, Sr., that the revocation requests submitted by Ralph Williams, Lex Hilliard and Brian Schaefering are approved and the Claims Administrator is **DIRECTED** to post a revised list of Opt Outs forthwith excluding Ralph Williams, Lex Hilliard and Brian Schaefering.



ANITA B. BRODY, J.

1/19/17

Copies **VIA ECF** on \_\_\_\_\_ to:

Copies **MAILED** on \_\_\_\_\_ to:

# Exhibit 1

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: NATIONAL FOOTBALL LEAGUE  
PLAYERS' CONCUSSION INJURY  
LITIGATION

---

No. 2:12-md-02323-AB

MDL No. 2323

Hon. Anita B. Brody

THIS DOCUMENT RELATES TO:

ALL ACTIONS

---

**DECLARATION OF ORRAN L. BROWN, SR.**

I, ORRAN L. BROWN, SR., hereby declare and state as follows:

1. My name is Orran L. Brown, Sr. I am the Chairman and a founding partner of BrownGreer PLC, located at 250 Rocketts Way, Richmond, Virginia 23231. BrownGreer PLC is the Claims Administrator under the Class Action Settlement Agreement in this action.

2. I am over the age of 21. The matters set forth in this Declaration are based upon my personal knowledge and information.

3. I submit this Declaration to describe three Opt Out revocation requests that we received recently.

4. In its April 22, 2015 Final Approval Order and Judgment, the Court directed the Claims Administrator to post a list of Opt Outs as of that date. Accordingly, we posted on the official Settlement website a list of the Opt Outs that were timely and included all the elements required for a valid Opt Out under Section 14.2(a) of the Settlement Agreement (175 names at the time) and a list of the Opt Outs that were untimely and/or were missing one or more of Section 14.2(a)'s required elements (33 names at the time).

5. Section 14.2(c) of the Settlement Agreement provides that a Class Member who had Opted Out but wished to revoke that Opt Out could submit a written request to do so "[p]rior to the Final Approval Date." After the April 22, 2015 Final Approval Date, 15 persons who had Opted Out submitted requests to revoke their Opt Outs. The Parties to the

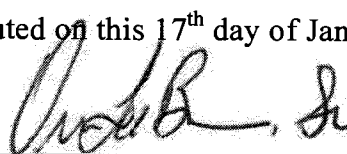
Settlement Agreement agreed to accept those revocation requests, subject to Court approval, and reported them to the Court. The Court has approved 14 of the 15 requests by Orders of July 15, 2015 (Document 6642), December 22, 2015 (Document 6713), January 26, 2016 (Document 6739), September 15, 2016 (Document 6907), October 25, 2016 (Document 6924), November 8, 2016 (Document 6937), and December 21, 2016 (Document 7033). The request by Charles Anthony Mincy, which the Parties reported on January 12, 2017 (Document 7074), is pending before the Court. Each time the Court approved a revocation, we no longer counted that person as an Opt Out and posted on the Settlement website a revised list of Timely Opt Out Requests Containing All Information Required by Section 14.2(a) or Otherwise Approved by the Court (the "Timely Opt Out List"). The Timely Opt Out List now contains 166 names.

6. On January 13, 2017, we received new revocation requests from three persons on the Timely Opt Out List:

- (a) Lex Hilliard: Attachment 1 to this Declaration is a copy of Mr. Hilliard's request, with his personal identifying information redacted.
- (b) Brian Christopher Schaefering: Attachment 2 to this Declaration is a copy of Mr. Schaefering's letter, after removing his personal information.
- (c) Ralph Williams: Attachment 3 to this Declaration is a copy of Mr. Williams' request, also with his personal information redacted.

The Parties to the Settlement Agreement have agreed to accept these three revocation requests, subject to Court approval. If the Court grants its approval, we no longer will count Mr. Hilliard, Mr. Schaefering, or Mr. Williams as Opt Outs and, upon direction of the Court, will post on the Settlement website a revised Timely Opt Out List.

I, Orran L. Brown, Sr., declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct. Executed on this 17<sup>th</sup> day of January, 2017.



Orran L. Brown, Sr.

Christopher Seeger  
Co-Lead Class Counsel  
SEEGER WEISS, LLP  
77 Water Street  
New York, NY 10005

Brad Karp  
Counsel for the NFL Parties  
Paul, Weiss, Rifkind, Wharton & Garrison, LLP  
1285 Avenue of the Americas  
New York, NY 10019

Sol Weiss  
Co-Lead Class Counsel  
ANAPOL SCHWARTZ  
1710 Spruce Street  
Philadelphia, PA 19103

**Re: REVOCATION OF OPT OUT FROM SETTLEMENT CLASS**

Dear Counsel:

Please take notice that I, Lex Hilliard, wish to revoke my request to be excluded from the Settlement Class in *In re: National Football League Players' Concussion Injury Litigation*, No. 2:12-md-02323.


Name: Lex Hilliard

Address:

Phone No.:

Date of Birth:

Signature:

  
\_\_\_\_\_

Print Name: Lex Hilliard

Date: January 11, 2017

ATTACHMENT 1

Christopher Seeger  
Co-Lead Class Counsel  
SEEGER WEISS, LLP  
77 Water Street  
New York, NY 10005

Brad Karp  
Counsel for the NFL Parties  
Paul, Weiss, Rifkind, Wharton & Garrison, LLP  
1285 Avenue of the Americas  
New York, NY 10019

Sol Weiss  
Co-Lead Class Counsel  
ANAPOL SCHWARTZ  
1710 Spruce Street  
Philadelphia, PA 19103

**Re: REVOCATION OF OPT OUT FROM SETTLEMENT CLASS**

Dear Counsel:

Please take notice that I, Brian Christopher Schaefering, wish to revoke my request to be excluded from the Settlement Class in *In re: National Football League Players' Concussion Injury Litigation, No. 2:12-md-02323*.

Name: Brian Christopher Schaefering

Address:

Phone No.:

Date of Birth:

Signature:



Print Name: Brian Christopher Schaefering

Date: December 27, 2016

**ATTACHMENT 2**



**CERTIFICATE OF SERVICE**

It is hereby certified that a true copy of the foregoing document was served electronically via the Court's electronic filing system on the 18th day of January, 2017, upon all counsel of record.

Dated: January 18, 2017

/s/ Brad S. Karp  
Brad S. Karp